

Application No. 10/069,394

REMARKS

Claims 1, 2, 4-11, 13, 15 and 19-22 are pending in this application. By this Amendment, claims 1, 2, 5, 6-8 and 15 are amended; claims 3, 12, 14 and 16-18 are canceled; and claims 19-22 are added.

Applicant gratefully acknowledges that the Office Action indicates that claim 8 is allowed, and that claims 4 and 10 include allowable subject matter.

Allowed claim is 8 amended solely to correct an informality.

I. Formal Corrected Drawings

The attached replacement formal drawing sheet incorporates the changes to Fig. 25 approved by the Examiner.

II. The Specification Satisfies All Formal Requirements

The abstract of the disclosure is objected to because it has more than 150 words. Accordingly, the abstract is amended to reduce the number of words. Therefore, withdrawal of the objection to the abstract is respectfully requested.

III. The Claims Define Patentable Subject Matter

The Office Action rejects claims 14 and 16 under 35 U.S.C. §102(b) over U.S. Patent No. 5,790,232 to Hagiwara. This rejection is moot, in view of the cancellation of claims 14 and 16.

The Office Action rejects claims 1 and 3 under 35 U.S.C. §102(e) over U.S. Patent No. 6,419,549 to Shirayanagi. This rejection is moot with respect to canceled claim 3 and is respectfully traversed with respect to claim 1.

With respect to claim 1, Shirayanagi describes a progressive-power spectacle lens used for presbyopia. This progressive power spectacles lens includes a distant visual region having an optical center for distance, a near vision region having an optical center for near

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objects, and an intermediate region (progressive region: aspherical surface) which connects the aforementioned two regions and whose reflective power changes continuously.

The progressive power spectacle lens is conventionally provided with a progressive surface having progressive power on the convex surface side and a spherical surface used for ordinary lens design (in astigmatic surface for a patient with a stigmatism) on a concave surface side.

Shiroyanagi describes a progressive surface being provided on a concave surface side and a spherical surface provided on a convex surface side. In all of the embodiments of Shiroyanagi, a spherical surface is provided only on a convex surface side.

In Shiroyanagi, the following two spectacle lens designing methods are described.

The first designing method is a designing method in which base curves on convex surface sides (spherical surface sides) of right and left lenses are set to be identical and all the differences between prescriptions for right and left eyes is corrected on the concave surface side (progressive surface side).

The second designing method is a designing method in which, when the difference in diopter between right and left eyes is too large, an intermediate base curve between base curves on the convex surface sides (spherical surface sides) of respective lenses is used as base curves on the convex surface sides (spherical surface side) of right and left lenses, and remaining correction elements are corrected on the concave surface side (progressive surface side).

In Shiroyanagi, the correction of the base curve on the convex surface side with consideration given to a balance between optical performances of right and left spectacle lenses is not described at all. Accordingly, Shiroyanagi, fails to describe, teach, or suggest "progresses condition data so that base curves on the left and right convex surface sides approximate each other and at least one optical performance of the left and right lenses,

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which is selected among astigmatism, curvature of field and distortion, is similar", as recited in claim 1. Therefore, withdrawal of the claim rejection is respectfully requested.

The Office Action rejects claims 1, 2, 5 and 6 under 35 U.S.C. §103(a) over U.S. Patent No. 5,790,232 to Hagiwara in view of U.S. Patent No. 5,511,180 to Guirao. This rejection is respectfully traversed.

Hagiwara et al. describes an invention which, when prescriptions for right and left lenses differ greatly, adjusts right and left lens curves, adjusts a frame curve and a lens curve, and adjusts lens thickness.

However, Hagiwara fails to describe, teach or suggest manufacturing lenses according to optical performance such as astigmatism, curvature of field, or distortion, as recited in claim 1. According to Hagiwara, only the appearance of spectacles can be improved. Hence, Hagiwara et al. cannot prevent deterioration of optical performance and also cannot prevent deterioration of a visual function, which is a primary function of spectacles. Guirao fails to cure the defects of Hagiwara.

The Office Action rejects claims 1, 3, 15, 17 and 18 under 35 U.S.C. §103(a) over U.S. Patent No. 5,790,232 to Hagiwara in view of U.S. Patent No. 5,710,615 to Kitani. This rejection is moot with respect to canceled claims 3, 17 and 18, and is respectfully traversed with respect to claims 1 and 15.

The invention disclosed in Kitani relates to a progressive-power spectacle lens. In Kitani, the design of progressive-power spectacle lens with emphasis on an intermediate distance and a near distance is described. Kitani describes a spectacle lens designed with optical performance (e.g., the adjustment of astigmatism) taken into consideration.

However, Kitani fails to describe, teach or suggest taking measures when prescriptions for right and left spectacle lenses differ greatly. Furthermore, Kitani fails to describe, teach or suggest the influence of optical performance in binocular vision.

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Accordingly, the invention disclosed in Kitani is directed to a design concept which, in individual spectacle lenses, pursues the most suitable optical performance for each lens. Thus, Kitani fails to describe, teach or suggest processing condition data so that base curves on the left and right convex surface sides approximate each other, as recited in claim 1, and Kitani fails to describe, teach or suggest designing lenses so that the refractive surfaces between the left and right spectacle lenses falls within a range of 1D or less, as recited in claim 15. Therefore, withdrawal of the rejection of claims 1 and 15 is respectfully requested.

The Office Action rejects claims 7, 9 and 11-13 under 35 U.S.C. §103(a) over U.S. Patent No. 5,790,232 to Hagiwara in view of U.S. Patent No. 5,710,615 to Kitani, and in further view of U.S. Patent No. 6,199,983 B1 to Kato. This rejection is moot with respect to canceled claim 12 and is respectfully traversed with respect to the remaining claims.

The invention disclosed in Kato relates to the design of a progressive-power spectacle lens. Kato supplies an individually designed progressive-power spectacle lens by obtaining information such as the purpose of wearing of spectacles and conditions for the wearing of spectacles on each spectacle wearer and reflecting the obtained information in lens design. Kato uses, as a spectacle lens designing method, a method in which a progressive-power spectacle lens suitable to each spectacle wearer is designed by classifying optical parameters into fixed parameters and variable parameters as well as having basic lens design ready in advance, and changing the variable parameters based on the obtained information on each spectacle wearer.

However, Hagiwara, Kitani and Kato, either alone or in combination, fail to describe, teach or suggest taking measures when prescriptions for right and left spectacle lenses differ greatly. Furthermore, the applied references fail to describe, teach or suggest the influence of optical performance in binocular vision. Therefore, Kato fails to describe, teach or suggest making optical performance of the new lenses produced with this new design data, as recited

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in claim 7. Applicants submit that claim 7 is therefore patentable, and that claims 9, 11, and 13, which depend on claim 7, are patentable for at least the reasons mentioned above, as well as for the additional features they recite.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2, 4-11, 13, 15 and 19-22 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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JAO:JFH/ale

Date: January 13, 2004

Attachments:

Petition for Extension of Time
Drawing Replacement Sheet

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DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
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FIG.25

AFTER REDESIGN

	+3D(LEFT)
FIRST SURFACE RADIUS OF CURVATURE (mm)	92.242*
SECOND SURFACE RADIUS OF CURVATURE (mm)	200.000
CENTER THICKNESS (mm)	4.0
LENS DIAMETER (mm)	6.5
EDGE THICKNESS (mm)	1.0
OVERALL HEIGHT (mm)	6.7

* : ASPHERICAL SURFACE